

SARITA KEDIA

LAW OFFICES, P.C.

5 EAST 22ND STREET, SUITE 7B
NEW YORK, NEW YORK 10010
WWW.KEDIALAW.COM

INFO@KEDIALAW.COM

TEL: 212.681.0202

FAX: 212.614.0202

March 25, 2012

BY ECF

Honorable Sandra L. Townes
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Frank Guerra, et al., 10 Cr. 147 (S-4) (SLT)

Dear Judge Townes:

On behalf of Michael Persico, we respectfully write in opposition to the government's May 9, 2012, motion to admit certain evidence. As we stated in Court earlier this week, we will need additional time to respond substantively to the government's motion, as we have not yet had an opportunity to review the necessary material. On a procedural level, however, we wish to alert the Court that, in the event it admits recordings made by cooperating witness Gaetano Fatato, identified as "CW-1" in the government's motion, we will need a significant continuance of the trial date in order to review his § 3500 material. Although we do not personally know how much material this constitutes, we understand from counsel in other cases that it consists of more than 240 compact discs of consensual recordings, likely containing more than a thousand hours of conversation, in addition to several boxes of documents. We will endeavor to respond to the government's motion substantively by Wednesday, May 30, 2012.

Respectfully submitted,

/s/

Sarita Kedia
Paul Shechtman

cc: Government counsel
All defense counsel
(By ECF)